

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT S. WIGGINS,
Plaintiff,

v.

USA TRUCK INC., et al,
Defendants.

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CIVIL ACTION

NO. 22-cv-00303

ORDER

AND NOW, this 7th day of April 2022, it is hereby **ORDERED** that counsel contemplating filing a motion under Fed. R. Civ. P. 12(b)(6), (e), or (f), shall first contact opposing counsel to discuss the substance of the contemplated motion and to provide an opportunity to cure any alleged pleading deficiencies or strike certain matter. This conference shall take place at least **seven (7)** days before the filing of the motion¹.

The parties shall conduct substantive verbal communications. Exchanges of letters or e-mails are insufficient. A report that opposing counsel was not available or that the parties made reasonable efforts is likewise insufficient. If the parties cannot reach a resolution that eliminates the need for any of the above-mentioned motions, counsel for the moving party shall include, along with the motion, a certification that the parties met and conferred regarding the alleged pleading deficiencies or matter sought to be stricken.

The Court will deny any 12(b)(6), (e) or (f) motion that fails to conform with these requirements.

All Counsel must copy and review Judge Kenney's most recent Guidelines which are published on the District's website.

BY THE COURT

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE

1. Counsel are instructed to refer to Judge Kenney's Practices and Procedures which are found at: http://www.paed.uscourts.gov/judges-info/district-court-judges/chad_f_kenney.